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UNCLAS ANKARA 006068

SIPDIS

TREASURY FOR OASIA  
STATE FOR EB/TPP/MTA/IPC  
DEPT PASS USTR FOR LERRION/MWU  
USDOC FOR ITA/MAC/DDEFALCO

SENSITIVE

E.O. 12958: N/A  
TAGS: [ETRD](#) [KIPR](#) [TU](#)  
SUBJECT: Proposal for a Joint Demarche with EU on  
Intellectual Property Issues (Action Request)

Ref: State 5808 and previous

[1](#)1. (U) This cable contains an action request in para 4.

[1](#)2. (SBU) In recent years, the USG has pressed Turkey to improve protection of intellectual property rights, particularly for pharmaceuticals manufacturers, but with limited results thus far. Copyright and trademark holders continue to face high levels of piracy and counterfeiting. U.S. pharmaceuticals companies are hurt by lack of data exclusivity and price discrimination against imported drugs. Furthermore, there has been some discussion of weakening patent protection for pharmaceuticals (reftel).

[1](#)3. (SBU) The EU and European companies have similar views on IPR problems in Turkey. We understand that the European pharmaceutical association is preparing a sharply critical report on Turkey and may press for a WTO case. Data exclusivity is a key common concern, as it is both a WTO and EU customs union requirement. We believe that the GOT will give added weight to these issues to the extent that it perceives them to become a serious obstacle to EU accession.

[1](#)4. (SBU) Embassy proposes a joint U.S. - EU demarche to the Turks on IPR, specifically issues facing the pharmaceutical industry, and requests that Washington agencies provide appropriate instructions. Edelman